

COUNCIL

7 November 2022

APPOINTMENT OF INDEPENDENT PERSON

Report of the Portfolio Holder for Finance, Governance and Performance, Change and Transformation

Strategic Aim:	All	
Exempt Information	Appendix A of this report contains exempt information and is not for publication in accordance with Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.	
Cabinet Member(s) Responsible:	Cllr K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation	
Contact Officer(s):	Angela Wakefield, Director of Legal and Governance, Monitoring Officer	awakefield@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council:

1. Approve the appointment of the recommended Independent Person.

1 PURPOSE OF THE REPORT

- 1.1 To recommend to Council that the recommended individual is appointed as an Independent Person for Rutland County Council.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Localism Act 2011 requires a relevant authority to make provision for the appointment of at least one Independent Person, whose views are sought, and taken into account, by the authority, before it makes a decision on a complaint regarding the conduct of members of the County Council or any of the parish councils within Rutland.
- 2.2 The Independent Person assists the Council in promoting and maintaining high standards of conduct amongst its elected and co-opted members and town and parish Councillors.

- 2.3 Mr Gordon Grimes was appointed by Council as an Independent Member in April 2014. His most recent appointment has expired.
- 2.4 A recruitment exercise to appoint Independent Persons was undertaken in August 2022 by the Monitoring Officer. Mr Grimes was one of the applicants and was interviewed on 1st September 2022 by the Monitoring Officer and Deputy Monitoring Officer. Following the interview with Mr Grimes, it is the Monitoring Officer's recommendation that he is appointed as an Independent Person.
- 2.5 No other suitable candidates were identified in the recruitment process.

3 CONSULTATION

- 3.1 The current Chairman of the Conduct Committee, Cllr A Brown, has been consulted and is in support of the continued use of Mr Grimes as Independent Person.

4 ALTERNATIVE OPTIONS

- 4.1 The Council could make use of a panel established by neighbouring authorities.

5 FINANCIAL IMPLICATIONS

- 5.1 The financial implications arising from this report are minimal; the Independent Person is paid a fixed allowance of £500 per annum and may also claim expenses.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Section 28 of the Localism Act 2011 requires a relevant authority to make provision for the appointment of at least one Independent Person "whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate".

7 DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks or issues to the rights and freedoms of natural persons.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment (EqIA) was completed prior to the previous appointment of the Independent Person in 2019. No adverse impacts were identified.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no community safety implications.

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 There are no health and wellbeing implications.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 The relevant legislation requires the appointment of at least one Independent Person to support the Council to deliver an effective standards regime. Mr Grimes

was the only suitable candidate in an open recruitment process.

12 BACKGROUND PAPERS

12.1 There are no additional background papers.

13 APPENDICES

13.1 Appendix A (Exempt) – Application of the recommended candidate for Independent Person.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.